

MUR # 6861
SENSITIVE

RECEIVED
FEDERAL ELECTION
COMMISSION

August 2014 AUG -6 AM 11:13

To: General Counsel, Federal Election Commission.
999 E. Street NW, Washington D.C. 20463
From: John Marek, Campaign Manager, Steve Cohen for Congress

OFFICE OF GENERAL COUNSEL

I am writing to file a formal complaint against Marion LaTroy Williams, and his fraudulent organization, the "National Democratic Party of the U.S.A." M. LaTroy Williams has peddled misleading ballots in Shelby County for years now; however, he took things a step further, when he aired a commercial claiming that the "National Democratic Party of the U.S.A." endorsed Ricky Wilkins for Congress. After the illegal ad was taken down, he resorted to creating a sign that implies the endorsement of Ricky Wilkins by the Democratic National Committee and President Barack Obama. The Democratic National Committee's lawyers are currently looking into this matter.

According to 2 U.S.C. §441(h):

Sec. 441h. *Fraudulent misrepresentation of campaign authority*

(a) *In general*

No person who is a candidate for Federal office or an employee or agent of such a candidate shall -

(1) fraudulently misrepresent himself or any committee or organization under his control as speaking or writing or otherwise acting for or on behalf of any other candidate or political party or employee or agent thereof on a matter which is damaging to such other candidate or political party or employee or agent thereof; or

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).

Marion LaTroy Williams' actions clearly violate 2 U.S.C. §441(h)(a) by misrepresenting his organization as though it is the Democratic National Committee (i.e. national Democratic Party).

The other issue, which is related to the ballots, I would like to report is that it appears that no federal or local campaign has reported disbursements to pay to be on the "Shelby County Democratic Club" ballot. I know that Marion LaTroy Williams does not put candidates on these ballots for free because he tried to sell us a spot on his ballot this election for \$4,000 (see the printed out e-mail, which is attached), and he has attempted to sell it to the Cohen for Congress campaign and every other candidate/candidate I have known in the past as well.

This means that either Marion LaTroy Williams is not reporting in-kind contributions to the campaigns/candidates he puts on his ballots, or (the more likely scenario) it means that numerous candidates are not reporting their payments to Marion LaTroy Williams to the Federal Election Commission (in the case of the federal campaigns/candidates), to the Bureau of Ethics and Campaign Finance Tennessee Registry of Election Finance (in the case of the state level campaigns/candidates), or to the Shelby County Election Commission (in the case of local campaigns/candidates).

I ask that your office look into these matters and resolve them as soon as possible. Our election day is on August 7th.

Please see the attached disc, the e-mail from Marion LaTroy Williams, and the temporary restraining order.

John Robert Marek, Campaign Manager, Cohen for Congress 2014
3647 Kearney, Memphis, TN 38111

Subscribed and sworn to before me on this 05 day of Aug, 2014



2014 AUG -3 PM 3:51
RECEIVED
FEDERAL ELECTION
COMMISSION
SECRET

CONFIDENTIAL



Christopher Pugh <c

>

FW: Fwd: Please read carefully. do not print or

1 message

John Marek <johnmarek@cohenforcongress.com>

Tue, Aug 5, 2014 at 9:52 AM

To:

From: Marion Williams [mailto:]
Sent: Wednesday, July 09, 2014 10:41 AM
To: johnmarek@cohenforcongress.com
Subject: Fw: Fwd: Please read carefully. do not print or

Dear John, please be advise read this first and, I will be sending you a sample Ballot soon.

On Sunday, June 29, 2014 12:34 PM, Marion Williams < > wrote:

On Thursday, June 26, 2014 10:52 AM, Marion Williams < > wrote:

SUBJECT TO CHANGE , SAMPLE BALLOT ONLY

On Thursday, June 26, 2014 8:38 AM, Marion Williams < > wrote:

On Wednesday, June 25, 2014 4:35 AM, Marion Williams < > wrote:

On Monday, June 23, 2014 11:00 AM, Marion Williams < > wrote:

RECEIVED
FEDERAL ELECTION
COMMISSION
2014 AUG -6 AM 11:14
OFFICE OF GENERAL
COUNSEL

100241411000

On Monday, June 23, 2014 8:31 AM, Marion Williams > wrote:

On Monday, June 23, 2014 8:19 AM, Marion Williams < wrote:

On Sunday, June 22, 2014 9:44 PM, Marion Williams > wrote:

On Sunday, June 22, 2014 8:42 PM, Marion Williams wrote:

----- Forwarded message -----

From: Marion Williams <
Date: Sat, Jun 21, 2014 at 12:05 PM
Subject: Please read carefully.
To: mkuhn@newbluestrategies.com, corbinjohnsonstaff@comcast.net,
votefordamitadandridgejudge@gmail.com, voteskahn@gmail.com

Please read carefully, and DO NOT RE-PRENT!

3 attachments

1000474140001

The Shelby County Democratic Club is the Number One Ballot in Shelby County.

March 20, 2014

Dear Political Candidates,

1. Ed Stanton used only the Shelby County Democratic Club Ballot and spent less than \$20,000. (VS Sidney Chism, who is said to have spent \$100,000 on the Greater Memphis Ballot.) Ed Stanton won the early voting. Therefore, he won the primary and became the General Sessions Court Clerk.
2. AC Wharton used only the Shelby County Democratic Club Ballot; Ed Ford used the Greater Memphis Ballot. Mayor AC Wharton won by 36 points. The only Ballot he used was the Shelby County Democratic Club Ballot.
3. John Deberry used the Shelby County Democratic Club Ballot and Jeanne Richardson used the Greater Memphis and the Steve Cohen Ballots. John Deberry won by 12 to 15 points, a landslide.
4. Jim Kyle only used the Shelby County Democratic Club Ballot and Beverly Marrero used the Greater Memphis and the Steve Cohen Ballots. The Shelby County Democratic Club Ballot was used with Jim Kyle defeating Beverly Marrero, who used the Greater Memphis Democratic Club and the Steve Cohen Ballots in a landslide victory by 12 to 15 points for State Senate District 30. (District 30 was Beverly Marrero's home District for 12 years. District 30, also, was Steve Cohen's prior State Senate seat.)
5. GA Hardaway used the Shelby County Democratic Club Ballot VS Mile Kernell, who used the Steve Cohen Ballot and others. GA Hardaway and the Shelby County Democratic Club won by a landslide.
6. Kelvin Woods used the Memphis Democratic Club and the Memphis Democratic Coalition Ballots, both, owned by the Shelby County Democratic Club to defeat the political giant Kenneth Whalum, who, only used the Steve Cohen Ballot and others. The Shelby County Democratic Club was absent in that race.
7. Reginald Porter won with the Shelby County Democratic Club Ballot with 80% of the vote.
8. Teresa Jones won with an impressive victory with the Shelby County Democratic Club Ballot.

Please do not lose out and make a mistake by being left off the Shelby County Democratic Club Ballot, the Memphis Democratic Club and the Democratic Coalition Ballots.

Sincerely,
Bishop M. Everett Banks

OFFICE OF GENERAL COUNSEL

2014 AUG -6 AM 11:14

RECEIVED
FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION

2014 AUG -6 AM 11 15

OFFICE OF FEDERAL
CONSTITUTIONAL

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

COHEN FOR CONGRESS COMMITTEE, Petitioner,

vs.

Case No. CT= 003348-14
Div III

M. LATROY WILLIAMS, INDIVIDUALLY & D/B/A
"NATIONAL DEMOCRATIC PARTY OF THE USA, INC.",
SHELBY COUNTY DEMOCRATIC CLUB (SCDC), D/B/A
SHELBY COUNTY DEMOCRATIC PARTY, INC. &
MEMPHIS DEMOCRATIC CLUB, INC.

FILED
AUG 04 2014
CIRCUIT COURT CLERK
D.C.

Defendants.

EMERGENCY PETITION FOR TEMPORARY RESTRAINING ORDER,
FOR PERMANENT INJUNCTION, & DECLARATORY RELIEF,

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF SHELBY
COUNTY, TENNESSEE:

Come now the petitioner, above-styled, and for cause state as follows:

I. PARTIES

1. Cohen For Congress Committee (hereinafter petitioner) is licensed by the Federal Election Commission # C00422980, address 349 Kenilworth Place, Memphis, Shelby County, TN 38112. Steve Cohen is a member of the Democratic Party, running for re-election in the August 7th, 2014 contested Democratic primary.

2. Defendant, SHELBY COUNTY DEMOCRATIC CLUB, INC.

10004411-001

(SCDC), is a for profit corporation with their address at 3250 Commercial Parkway, Memphis, TN 38116-3252. The agent for service of process is the defendant, M. Latroy Williams, Suite 3254, 3242 Commercial Parkway, Memphis, TN 38116-3252. The active assumed names of said defendant are Memphis Democratic Club, Inc. and Shelby County Democratic Party, Inc...

(See attached Exhibit 1.)

3. Jurisdiction is invoked for extraordinary relief and declaratory judgment and all existing defendants are residents of Shelby County, Tennessee.
4. Marion Latroy Williams, operating under the cloak of Shelby County Democratic Club and National Democratic Party of the USA, has caused several misleading and fraudulent ads to appear in both print and broadcast media. This mass advertising fits into an overall scheme intentionally designed to give the electorate and the general public the impression that Mr. Rickey Wilkins has been endorsed by the official local Democratic Party and the Democratic National Committee. (See attached Exhibits 2, 3, 4).
5. In carrying out this task to defraud the voting public, he uses the trade mark logo of the Democratic Party (the red white and blue donkey), and the words Democratic Party (with slight variations). (See Exhibits 3 & 4)
6. The State of Tennessee has codified a set of statutes that are designed to protect the public from fraudulent political parties. See T.C.A. 2-7-104 (a) (14) , et seq. Said statute requires political parties to seek recognition by filing with the State a qualifying petition. This is not to suppress free speech, but to protect the public from fly by night organizations that only seek to get money from public and to confuse the

electorate. There is a compelling state interest in protecting the public from any misleading and fraudulent advertising.

The Democratic National Committee, the Tennessee Democratic Party, and the Shelby County Democrats have a property right in both the name and the logo; and there is an inherent right for these recognized political organizations to be protected from predators seeking to mislead the public into thinking that actions taken by the Defendant / Respondent are in fact the actions of these official organizations.

7. Early voting for August 2014 elections began on July 18th, 2014. On or about that date, the ballot attached as Exhibit 4 began to be distributed at the polls to voters by agents of Williams and others. Said ballot claims to be the "Official Ballot" of the "Shelby County Democratic Club" and indicates Endorsements with Ricky Wilkins identified as the endorsement for Congress 9th District.
8. Said ballot also again includes the "endorsements" of the "Shelby County Democratic Club" including the words "Democrat Nominee" twice regarding Ricky Wilkins, petitioner's opposition.

WRONGFUL ACTS

9. Signs erected without permits.
10. All Defendants are in violation of Tennessee law, specifically the following, and are causing damage to the plaintiffs:

2-19-116. Misrepresentations on campaign literature or sample ballots

-Penalty.

(a) No person shall print or cause to be printed or assist in the distribution or transportation of any facsimile of an official ballot, any unofficial sample ballot, writing, pamphlet, paper, photograph or other printed material which contains the endorsement of a

particular candidate, group of candidates or proposition by an organization, group, candidate or other individual, whether existent or not, with the intent that the person receiving such printed material mistakenly believe that the endorsement of such candidate, candidates or proposition was made by an organization, group, candidate or entity other than the one or ones appearing on the printed material.

(b) A violation of this section is a Class C misdemeanor.

[Acts 1972, ch. 740, § 1; T.C.A., § 2-1916; Acts 1983, ch. 458, § 1; 1989, ch. 591, §113.]

2-19-142. Knowingly publishing false campaign literature.

It is a Class C misdemeanor for any person to publish or distribute or cause to be published or distributed any campaign literature in opposition to any candidate in any election if such person knows that any such statement, charge, allegation, or other matter contained therein with respect to such candidate is false.

[Acts 1974, ch. 704, § 1; T.C.A., § 2-1950; Acts 1989, ch. 591, § 113.]

11. The following are knowing and fraudulent misrepresentations by the defendants which are intended to mislead and confuse voters who are voting now, thereby causing damage to the plaintiffs:

- a. Defendants MDP, SCDC, & WILLIAMS, are knowingly improperly identifying candidates who are not Democratic Party nominees as Democratic nominees; and
- b. Defendants MDP, SCDC, WILLIAMS, are knowingly publishing false statements regarding Wilkin's endorsement; and

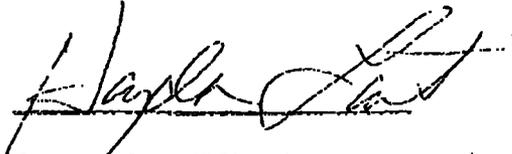
12. Petitioner submits that Defendants are violating the law and knowingly engaging in acts of intentional fraud and bad faith, and that immediate and irreparable harm will result to the Petitioner, all voters, and the sanctity and security of the election process for which adequate monetary cannot compensate if Defendants and their agents are not immediately restrained and enjoined from further acts in violation of the law and further misrepresentation of facts to the public.

13. Petitioner seeks an immediate Temporary Restraining Order with the provisions set forth in the prayer below, along with an expedited hearing and a permanent injunction and declaratory relief.

14. Plaintiff further contends that under the entire circumstances Defendants have

4. For such general and further relief to which your petitioner maybe entitled.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Hayden Lait", written over a horizontal line.

Hayden Lait (007711)
266 S. Front St. #206
Memphis, TN 38103
Phone (901) 527-1301

THIS IS THE FIRST REQUEST FOR EXTRAORDINARY RELIEF IN THIS CAUSE

180824140001

STATE OF TENNESSEE

COUNTY OF SHELBY

PERSONALLY came and appeared before me, the undersigned authority in and for the aforesaid County and State, _____, who by me being first duly sworn, states on oath that the matters and things set forth in the above and foregoing Affidavit are true and correct to the best of his knowledge and belief.

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission Expires:

1000474140001

FIAT

TO THE CLERK OF THE CIRCUIT COURT OF SHELBY COUNTY TENNESSEE:

Issue the Restraining Order as Prayed for in Paragraph 2 of the prayer for relief in the forgoing Petition, restraining the Defendants in this cause from:

- a. Distributing literature, disseminating information or in any way communicating utilizing the words "Democratic party"; and;
- b. Distributing literature, disseminating information or in any way communicating or implying any misleading information regarding the political party affiliation of a candidate or group; and;
- c. Distributing literature, disseminating information or in any way communicating or implying that individuals who are not duly elected nominees of a political party, are such nominees; and
- d. Distributing literature, disseminating information or in any way communicating or implying an endorsement of a candidate by a person or group when such endorsement has not occurred; and
- e. Distributing, disseminating or transferring Exhibits 2-4, or any facsimile or partial copy of same. and;
- f. Further, Defendants shall take immediately action to remove from public view and/or access all items identified to be restrained in this pleading.

And issue notice to the defendants to appear before me on the 2nd day of August 2014 at 10:00 a.m. to show cause why a temporary injunction should not be issued.

Karen R. Williams

Judge

Aug. 4, 2014

DATE 11:02 AM
TEST
JIMMY MOORE, Clerk

[Signature] D.C.



STATE OF TENNESSEE
Tre Hargett, Secretary of State
 Division of Business Services
 William R. Snodgrass Tower
 312 Rosa L. Parks AVE, 6th FL
 Nashville, TN 37243-1102

Filing Information

Name: Shelby County Democratic Club, Inc.

General Information

SOS Control # :	638459	Formation Locale:	TENNESSEE
Filing Type:	Corporation For-Profit - Domestic	Date Formed:	08/23/2010
Filing Date:	08/23/2010 10:32 AM	Fiscal Year Close	12
Status:	Active		
Duration Term:	Perpetual		

Registered Agent Address
 M. LATROY WILLIAMS
 STE 3254
 3242 COMMERCIAL PKWY
 MEMPHIS, TN 38116-3252

Principal Address
 3250 COMMERCIAL PKWY
 MEMPHIS, TN 38116-3252

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
07/24/2014	2013 Annual Report	A0255-0211
06/03/2014	Notice of Determination	A0243-3003
07/25/2013	2012 Annual Report	A0192-2972
06/04/2013	Notice of Determination	A0183-1725
08/02/2012	2011 Annual Report	7080-3001
Principal Postal Code Changed From: 38116 To: 38116-3252		
06/02/2012	Notice of Determination	A0128-3004
08/04/2011	2010 Annual Report	A0087-1102
06/02/2011	Notice of Determination	A0082-1205
08/30/2010	Assumed Name	6763-0900
New Assumed Name Changed From: No Value To: Shelby County Democratic Party, Inc.		
08/30/2010	Assumed Name	6763-0902
New Assumed Name Changed From: No Value To: Memphis Democratic Club, Inc.		
08/23/2010	Initial Filing	6759-0863

Active Assumed Names (if any)	Date	Expires
Memphis Democratic Club, Inc.	08/31/2010	08/30/2015
Shelby County Democratic Party, Inc.	08/31/2010	08/30/2015

8/3/2014 11:40:06 AM

Exhibit 1

1-800-444-4444

National Democratic Party
 Rickey Wilkins
 9th Congressional District
 President Obama

Exhibit 3

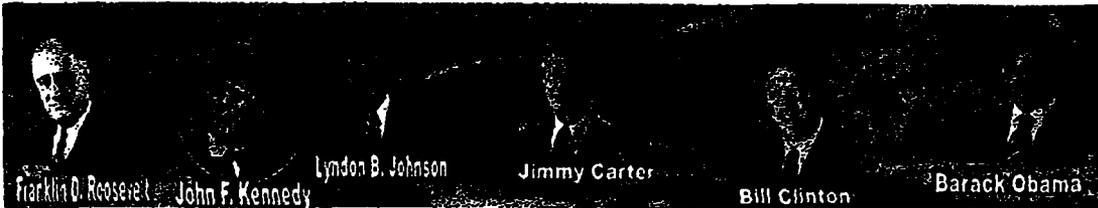
The Shelby County
Symposium Club
2280 Commercial Hwy
Suite 215B
Memphis, TN 38116

PRESORTED STD.
U.S. POSTAGE
PAID
MEMPHIS, TN
PERMIT NO. 533

William
Chism
Probate Court Clerk

**THIS IS THE MOST
IMPORTANT ELECTION
OF YOUR LIFETIME**

"President Obama Has Saved This Country Let's Continue The Progress"



The Next Time Someone Says Democrats Spend Too Much, Show Them This:

Debt Increase By President 1961 54 41 23



EARLY VOTING JULY 18, ELECTION DAY AUG 7TH

Shelby County Democratic UNITY BALLOT CLUB
66th Anniversary

ENDORSEMENTS

 Ricky Congress 9th Dist.	 Deidre Judicial	 Gordon Mayor	 Joe U.S. Senate Clark	 Walter Attorney General Squire	 Felicia Chancellor, Port 2 State Representative	 John Circuit Ct. Judge Dist. 1
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 Shelley Cane School Board	 Christine May School Board	 Myra Thompson School Board	 Coleman Draper School Board	 Oakley Jackson School Board	 Juchie Dixon School Board	 Joel Towns, Jr. School Board	 Barbara Akbari School Board	 John Cooper School Board	 DeBerry School Board
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 Warren Love School Board	 Garn Williams School Board	 Austin Brown School Board	 Lee Thompson School Board	 Lowery Davis School Board	 Carson Carson School Board	 Gill Cobb School Board
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Honorees

 Mozella T. Ross Circuit Ct. Judge Dist. 5	 J. Nathan Toney Circuit Ct. Judge Dist. 2	 Venita Martin-Andrews Circuit Ct. Judge Dist. 4	 Cally Aderson-Kent Circuit Ct. Judge Dist. 6	 Jerome Russell Circuit Ct. Judge Dist. 1	 Derrick Bennett Trustee
-----------------------------------------------------	-----------------------------------------------------	-----------------------------------------------------------	--------------------------------------------------------	----------------------------------------------------	-----------------------------------

Exhibit 4

Another M. LaTroy Williams Production

EARLY VOTING JULY 18, ELECTION DAY AUG 7TH

Shelby County Democratic Club

Charter #638459

UNITY BALLOT



Co. Founders: M. LaTroy Williams & Melvin Robinson, Sr., A.W. Willis, Benjamin Hooks, Vasco Smith, Odell Horton, Dr. Blair T. Hunt, A. Maceo Walker, and Jesse Turner Sr.

ENDORSED BY SHELBY COUNTY DEMOCRATIC CLUB

Wilkins	Malone	Ball	Brown	Skahan	Evans	Higgins	Cortin-Johnson	Kyle	Howard
Congress 9th Dist.	Mayor	US SENATE	Dist. attorney	Circuit Ct. Judge Div. 1	Chancellor, Part. 1	Circuit Ct. Judge Div. 4	Circuit Ct. Judge Div. 1	Chancellor, Part. 2	Criminal Ct. Judge Div. 6

Judicial Candidates

Anderson	Burrow	Bailey	Northcross-Kurd	Sugarmon	Thompson	Potter	Thomas-Moore	Dandridge	Donald
Gen. Session Judge Div. 7	Criminal Ct. Judge Div. 3	Circuit Ct. Judge Div. 3	Juvenile Court Judge	Gen. Session Judge Div. 14	Gen. Session Judge Div. 14	Gen. Session Judge Div. 14	Probate Court Judge Div. 1	Gen. Session Judge Div. 14	Gen. Session Judge Div. 14
Judicial									
Brooks	Best	Skahan	Banks	Johnson	Brooks	Halbert	Ford	Rooks	Webster
Criminal Ct. Judge Div. 7	Criminal Ct. Judge Div. 9	Gen. Session Judge Div. 14	Circuit Ct. Clerk	Assessor	Juvenile Ct. Clerk	Criminal Court Clerk	Ta State Senate Div. 29	Session Judge Div. 12	Probate Court Judge Div. 2

PAID FOR BY THE COMMITTEE TO ELECT BETTER GOVERNMENT DR. CYNTHIA A. GENTRY PH.D. CO-CHAIRMAN M. LATROY WILLIAMS COORDINATOR